

### **REMARKS**

Reconsideration of the application is respectfully requested.

Claims 1-5, 9, 11-15, 18-22, 27-31, 35-40, 47-52, 56-59 and 64-66 have been rejected by the Examiner. Claims 12, 13, 28, 29, 37, and 38 have been found to be allowable but for their dependence on rejected base claims. Claims 1-5, 9, 11-15, 21, 22, 27, 31, 35, 36, 47, 51, 52, 56, and 64 have been amended. All amendments are fully supported by the Applicants' disclosure. Accordingly, claims 1-5, 9, 11-15, 18-22, 27-31, 35-40, 47-52, 56-59 and 64-66 remain pending in the application.

### **Claim Rejections under 35 U.S.C. § 103**

1. In the Office Action, claims 1-5, 9, 11, 14-15, 18-22, 27, 30-31, 35-36, 39-40, 47-52, 56-59 and 64-66 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent Application Pub. No. 2002/0002643 A1 to Yamamoto (hereinafter "Yamamoto") in view of Published U.S. Patent No. 6,295,441 to Björkengren et al (hereinafter "Björkengren"). More specifically, the Examiner states that Yamamoto teaches all elements of claim 1 with the exception of the first button disposed or located on a second surface of said body casing, which is disclosed by Björkengren. All other pending independent claims are rejected for the same reasons.

Applicants respectfully disagree with the Examiner's analysis. Nonetheless in the interest of bringing prosecution to a close, Applicants have amended all pending independent claims to further clarify those recitations. Because each amended claim was rejected for the same reasons, Applicants will address them simultaneously for the Examiner's convenience.

Claim 1, as amended, now recites in part:

“complementary logic to

facilitate entry of alphanumeric data and user programmable phrases in encoded representations of a variable length encoding scheme using said at least first button, the variable length encoding scheme having a plurality of codes of various code lengths,

wherein the shortest code of the variable length encoding scheme represents a first user selectable phrase comprising a plurality of alphanumeric characters, the first user selectable phrase being selected by a user from among a plurality of phrases for representation by the shortest code, said shortest code representing said first user selectable phrase in its entirety, and

wherein the second shortest code of the variable length encoding scheme represents a second user selectable phrase comprising a plurality of alphanumeric characters, the second user selectable phrase being selected by a user from among a plurality of phrases for representation by the second shortest code, said second shortest code representing said second user selectable phrase in its entirety,”

Thus, when properly viewed as a whole, amended claim 1 recites a device having logic in support of a variable length custom encoding scheme, with the single shortest code of that scheme representing an entire multiple-character phrase selectable by the user from among a plurality of phrases that could be assigned to that code, and with the second shortest code representing a second such phrase (e.g. Hello, How are you? How are things? And so forth). Applicants recite a novel method in which a user is able to assign a phrase to a short code and

enter that phrase in its entirety simply by inputting that code. Applicants' recitation provides a faster and more convenient way for a user to communicate a frequently used multiple-character phrase, unlike methods that require entering a separate code for each alphanumeric character included within the phrase.

Yamamoto was cited for teaching all of the elements of claim 1 except for a first button disposed or located on a second surface of said body casing. Björkgren was cited for teaching a first button disposed or located on a second surface of said body casing. However, Yamamoto and Björkgren do not teach or suggest a shortest code of the variable length encoding scheme representing "a first user selectable phrase comprising a plurality of alphanumeric characters," or that the user selectable phrase is "selected by a user from among a plurality of phrases for representation by the shortest code," or that the shortest code represents the first user selectable phrase "in its entirety."

Yamamoto merely teaches a portable information terminal that can be used to simulate conversations in Morse code with another portable terminal via an infrared link. The Examiner has noted that in Yamamoto, Morse code is used in sending and receiving character information optically, that the character information is used to form programmable phrases (such as "hello"), and that Morse codes are the shortest length codes. But in Yamamoto's case, multiple "shortest Morse code are used to transmit "h," "e," "l," "l," and "o", whereas Applicant's invention as claimed provides for a single shortest Morse code to transmit the entire phrase "hello."

Further, as illustrated by the above example, a person with reasonable skill in the art will readily understand that in Morse code, each letter/character is assigned a separate code and phrases are communicated by entering, in sequence, one code for each character within the sequence. The same codes and code assignments must be used by all who communicate with

that code, because otherwise the Morse code signals would not be mutually intelligible among the communication partners.

In sharp contrast, Applicants disclose in claim 1 an apparatus that allows a user to select a phrase with multiple alphanumeric characters and assign that phrase in its entirety to a single short code (i.e. each of two users may assign a different phrase to the same shortest code on his/her own apparatus). Thus, the user need only enter that code to input the entire phrase, rather than typing or inputting separately the code for each character of the phrase. Applicants' novel methods and apparatuses allow mutually intelligible communication between two persons who use the same code to represent different phrases.

Even assuming for the sake of argument that Björkengren teaches the "a first button disposed on a second surface of said body casing" of claim 1, the combination of Yamamoto and Björkengren simply does not teach or suggest a variable length encoding scheme in which the two shortest length codes represent multiple-character user selectable phrases which are assignable in their entirety, by the user, to those codes. In Yamamoto, the two shortest length Morse codes represent the most frequently used alphanumeric characters ('T' and 'E'). These are not phrases comprising a plurality of characters, nor are they user selectable from among a plurality of phrases. They are single, non-selectable characters and their representation by the two shortest codes of the encoding scheme is fixed.

Thus, the cited combination of Yamamoto and Björkengren simply cannot teach or even suggest the Applicants' recitations. For at least these reasons, Applicants respectfully submit that claim 1 is patentable over Yamamoto in view of Björkengren under 35 U.S.C. §103..

Amended claims 21, 31, 47, 56, and 64 recite limitations similar to those of amended claim 1. Accordingly, for at least the same reasons, claims 21, 31, 47, 56, and 64 are patentable over Yamamoto and Björkengren, alone or in combination, under 35 U.S.C. §103.

Claims 2-5, 9, 11-15, 18-20, 22, 27-30, 35-40, 48-52, 57-59, and 65-66 depend from claims 1, 21, 31, 47, 56, and 64, incorporating their limitations respectively. Accordingly, for at least the same reasons, claims 2-5, 9, 11-15, 18-20, 22, 27-30, 35-40, 48-52, 57-59, and 65-66 are also patentable over the cited art under 35 U.S.C. §103.

### **Allowable Subject Matter**

Applicants thank the Examiner for finding claims 13, 14, 29, 29, 37, and 38 allowable but for their dependence on rejected base claims. For the reasons given above, Applicants believe those base claims, as amended, are now allowable. Thus, Applicants respectfully submit that claims 13, 14, 29, 29, 37, and 38 are in condition for allowance by virtue of their dependence from the presently allowable claims 1, 21, and 31.

### **Conclusion**

Applicants submit that all pending claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,  
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